

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD SEARS,
Plaintiff

v.

VINCENT MOONEY, et al.,
Defendants

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No. 1:17-cv-50

(Judge Kane)

ORDER

AND NOW, on this 11th day of December 2019, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion to exclude alleged evidence of deposition (Doc. No. 89) is **DENIED**;
2. Defendants' motion for summary judgment (Doc. No. 84) is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. Defendants' motion (Doc. No. 84) is **DENIED** with respect to Plaintiff's First Amendment retaliation claims against Defendants Kistler, Shipe, Drucis, Howel, Krzykowski, and Gilbert;
 - b. Defendants' motion (Doc. No. 84) is **GRANTED** with respect to Plaintiff's remaining claims, and the Clerk of Court is directed to defer the entry of judgment in favor of Defendants on these claims until the conclusion of the above-captioned proceedings; and
3. A separate Order regarding further proceedings in the above-captioned action shall issue.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania